IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5631 OF 2004

IN S.C.NO. 21/2004

Prabhakar Pandurang Mohite ..Applicants.
and one another.

V/s.

The State of Maharashtra .. Respondent.

Shri A.s. Janwalkar for the Applicants.
Shri K.V. Saste, APP for Respondent- State.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 22, 2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. The case of the applicants is that the informant party was the aggressor party. The incident in question, it is common ground, has taken place infront of the residence of the accused party. Both the parties have suffered injuries. The injuries to the persons from the informant party are more severe. Be that as it may, as the investigation is complete and the chargesheet has been filed, even charges have been framed; and I am told that the co-accused are

already released on bail, the present applicants can be enlarged on bail by imposing strict conditions and the applicants are willing to abide by those conditions. Hence, the following order :-

(a) Applicants are enlarged on bail in connection with C.R.No. 12/2004, registered with Dapoli Police Station, Dist. Ratnagiri on executing personal bond in the sum of Rs. 50,000/- (Rs. Fifty thousand only) each with two local sureties in the like amount.

(b) The Applicants shall not enter the jurisdiction of Ratnagiri District during the pendency of the trial except for attending the court cases.

(c) The Applicants shall report to the nearest police station where they intend to reside after they are released on bail, once on every fortnight on Saturday between 10 a.m. to 12 p.m. and they shall not leave jurisdiction of the said police station without prior intimation to the investigating officer as well as trial court.

(d) The Applicants shall extend full co-operation for early disposal of the trial. If the trial court

is of the opinion that the applicants are responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(e) The applicants shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. In so far as the observations made in my earlier order dated 20.12.2004, matter be placed for direction on 24th January, 2005 to report compliance in connection with the action taken report to be submitted before this court by the Secretary, Home Department, Mantralaya, Mumbai and also Inspector -General of Police of the State.

4. Ordered accordingly.

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